

15-DAY PERIOD, STATE IN WRITING TO THE ATTORNEY GENERAL THEIR BELIEF THAT THE ACTIONS OF ANY SALES AGENCY CONSTITUTE A PATTERN OF NONCOMPLIANCE WITH THIS SUBTITLE, THE ATTORNEY GENERAL OR THE DIVISION AT HIS DIRECTION MAY HOLD A PUBLIC HEARING.

(B) NOTICE AND HEARING.

THE SALES AGENCY ALLEGED TO BE IN NONCOMPLIANCE WITH THIS SUBTITLE SHALL BE GIVEN AT LEAST 10 DAYS' PRIOR WRITTEN NOTICE OF THE PUBLIC HEARING. AT THE HEARING, IT SHALL HAVE AN OPPORTUNITY TO:

(1) DEMONSTRATE COMPLIANCE; OR

(2) ENTER INTO AN AGREEMENT TO BEGIN TO COMPLY WITHIN 60 DAYS FROM THE DATE OF THE HEARING.

(C) COSTS.

IF, AT THE CONCLUSION OF THE HEARING, THE ATTORNEY GENERAL OR THE DIVISION FINDS THAT THERE WAS IN FACT A PATTERN OF NONCOMPLIANCE, THE ATTORNEY GENERAL MAY ISSUE AN ORDER WHICH REQUIRES THE PERSON RESPONSIBLE FOR THE NONCOMPLIANCE TO PAY TO THE STATE ANY PART OF THE DIRECT OR INDIRECT COST OF THE HEARING, INCLUDING THE COST OF PREPARING FOR IT.

(D) BREACH OF AGREEMENT TO COMPLY OR FAILURE TO PAY COSTS.

(1) THE ATTORNEY GENERAL MAY DECLARE THAT A PERSON IS ENGAGED IN AN UNLAWFUL PRACTICE IF HE FINDS THAT THE PERSON:

(i) HAS BREACHED ANY AGREEMENT ENTERED INTO UNDER SUBSECTION (B) OF THIS SECTION; OR

(ii) HAS FAILED TO PAY ANY COSTS ORDERED TO BE PAID UNDER SUBSECTION (C) OF THIS SECTION.

(2) IF THE UNLAWFUL PRACTICE IS SUBSEQUENTLY CONTINUED OR REPEATED, IT IS AN UNFAIR OR DECEPTIVE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THIS ARTICLE AND IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13.

REVISOR'S NOTE: This section presently appears as Art. 83, §21E(f).

In subsection (d) (1) (i), of this section, the term "breached" is substituted for "not acted in accordance with" for purposes of brevity, with no change in meaning intended.